

## REMARKS

Claims 45-46 are pending.

Claims 45-46 are rejected.

Applicants request reconsideration of claims 45-46.

The sole basis for rejection is under §102 in light U.S. Pat. No. 4,919,748 by Bredbenner. Applicants contend that the claims contain limitations that Bredbenner fails to address. For example, claim 45 requires etching a material generally simultaneously with performing a deposition of that material. Dependent claim 46 incorporates this limitation. The Examiner attempted to analogize Bredbenner's polymeric layer 23 to claim 45's "material." However, the Examiner's citations to Bredbenner demonstrate that the analogy does not hold.

For instance, in attempting to address claim 45's requirement for etching a material *generally simultaneously* with performing a deposition of that material, the Examiner cited the following Bredbenner excerpt:

Trifluoromethane apparently tends to form a protective polymeric film 23 on the sidewalls of the metal as *it* is being etched.

(Office Action dated 6/23/04 at p. 2 (citing Bredbenner, col. 3, ln. 40)(emphasis added).) The Examiner appears to believe that "it" refers to the polymeric film. Applicants contend that, when read in context, "it" refers to the metal; and the citation therefore fails to disclose the "generally simultaneously" claim limitation. This is supported by the Examiner's previous citation to Bredbenner, which suggests removing the polymeric film after the metal etching/polymeric film formation process has ended. (Office Action dated 6/23/04 at p. 2 (citing Bredbenner, col. 3, ln. 12).)

Bredbenner's etching of the polymeric film subsequently/non-simultaneously in relation to forming that film is further supported in Bredbenner's first specific example, wherein the polymeric film appears to remain, resisting the principal etch (*see* Bredbenner at col. 5, ln. 12-23) as well as an overetch (*see id.* at ln. 24-31), until "[f]inally" both an ashing/passivation *and* wet cleaning are used to remove that film (*id.* at ln. 32-44).

Interpreting column 3, line 40 of Bredbenner as referring to etching the metal rather than the polymeric film is still further supported given that the predominant focus of Bredbenner concerns etching metal. (*See* Bredbenner at Abstract (referring to “etching metal layers”); col. 1, ln. 23-25 (disclosing as background etching exposed conductive material); col. 2, ln. 53-68 (disclosing etching the exposed portion of metal layer 13); col. 5, ln. 10-11 (specifying an initiation of the metal etch process in Example 1); col. 5, ln. 17 (specifying the principal metal etch in Example 1); col. 5, ln. 24-26 (specifying the overetch of the metal in Example 1); *see also* Examples 2-3 and claims 1-6.) Such a legion of metal etch references suggests that column 3, line 40 is simply yet another reference to that metal etch.

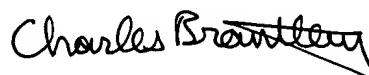
Applicants contend it is also significant that, when something other than the metal is etched during Bredbenner’s metal etch process, Bredbenner specifically indicates so, as demonstrated by the excerpts addressing the etch of aluminum’s native oxide. (Bredbenner at col. 3, ln. 61-col. 4, ln. 4; col. 4, ln. 65-col. 5, ln. 5.) If the Examiner’s interpretation of Bredbenner’s column 3, line 40 were correct, then Bredbenner’s disclosure curiously lacks specificity when addressing etching the polymeric film during the metal etch process. Such a lack of disclosure is inconsistent with the rest of Bredbenner’s disclosure and indicates that the polymeric film is in fact not etched during the metal etch process.

Thus, when read in context, Bredbenner’s column 3, line 4 cannot be interpreted as etching its polymeric film while generally simultaneously performing a deposition of that film. Therefore, Applicants contend the burden for supporting the current §102 rejection has not been met. Moreover, Bredbenner’s express multiple references to etching its polymeric film non-simultaneously with performing a deposition of that film disclose only the exact opposite of the relevant claim limitation. As a result, Applicants further contend that the burden for supporting the current §102 rejection cannot be met relying on Bredbenner.

### Conclusion

In light of the above remarks, Applicants submit that the claims are allowable over the applied reference. Therefore, Applicants respectfully request reconsideration of the Examiner's rejection and further requests allowance of all of the pending claims. If there are any matters which may be resolved or clarified through a telephone interview, the Examiner is requested to contact Applicants' undersigned attorney at the number indicated.

Respectfully submitted,

A handwritten signature in black ink that reads "Charles Brantley". The signature is written in a cursive style with a large, stylized "C" and a long, sweeping underline.

Dated 9/21/14

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